

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

SONOS, INC.,
Plaintiff-Petitioner

v.

GOOGLE LLC,
Defendant-Cross-Petitioner

2022-134, 2022-144

On Petitions for Permission to Appeal pursuant to 28 U.S.C. Section 1292(b) from the United States District Court for the Northern District of California in No. 3:21-cv-07559-WHA, Judge William H. Alsup.

ON PETITION

Before DYK, REYNA, and CHEN, *Circuit Judges*.

PER CURIAM.

O R D E R

The parties each petition for permission to appeal from an order of the United States District Court for the Northern District of California concerning the sufficiency of the pleadings under Federal Rules of Civil Procedure 8(a) and

12(b)(6). The district court certified the order for appeal pursuant to 28 U.S.C. § 1292(b).

Under the express language of § 1292(b), this court has “discretion” whether to “permit an appeal to be taken” under the provision. *See Digit. Equip. Corp. v. Desktop Direct, Inc.*, 511 U.S. 863, 883 n.9 (1994) (noting “broad” discretion). Having considered the matter, we decline to permit interlocutory review in this case.

Accordingly,

IT IS ORDERED THAT:

The petition and cross-petition for permission to appeal are denied.

FOR THE COURT

May 11, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court